

**REMARKS**

In addition to the amendment and response to the Final Office Action that Applicant filed on July 17, 2003, claims 17, 31, 34, and 41 are further amended, claims 22, 26, 33, and 35 are amended; as a result, claims 17-19, 22, 23, 25-27, 29, 31-50 are now pending in this application.

In the amendment and response to the Final Office Action that Applicant filed on July 17, 2003 (previous amendment and response), independent claims 17, 31, 34, and 41 were amended. Applicant has requested in the RCE filed in September 17, 2003 that the previous amendment and response be considered. Applicant assumes that amendments to claims 17, 31, 34 and 41 in the previous amendment and response were considered. Therefore, in this preliminary amendment, Applicant has removed the underline markings of claims 17, 31, 34 and 41 from the previous amendment and response.

In this preliminary amendment, independent claims 17, 22, 26, 31, 33-35, and 41 are amended to further define the structure of the memory device of the present invention. As amended, Applicant believes that these claims are patentable over any combination of Pfiester, Kanetaki et al., Itoh, and Wahlstrom. Accordingly, Applicant requests that claims 17, 22, 26, 31, 33-35, and 41 and their dependent claims be allowed.

**AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116 – EXPEDITED PROCEDURE**

Serial Number: 09/467992

Filing Date: December 20, 1999

Title: CIRCUITS WITH A TRENCH CAPACITOR HAVING MICRO-ROUGHENED SEMICONDUCTOR SURFACES

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**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at 612-373-6969 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LEONARD FORBES ET AL.

By their Representatives,

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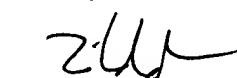
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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O.Box 1450, Alexandria, VA 22313-1450, on this 9 day of October, 2003